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Bill Would Let E.P.A. Relax Rules for Cleanup

By [MICHAEL JANOFSKY](#)

WASHINGTON, Sept. 15 - The Environmental Protection Agency could suspend any law governing air, water or land in responding to Hurricane Katrina under a measure introduced Thursday by the chairman of the Senate environment committee.

The legislation, which drew immediate criticism from environmental groups, would create a 120-day period in which the agency's administrator, Stephen L. Johnson, could waive or modify laws if it became "necessary to respond in a timely and effective manner" to a situation created by the storm.

The proposal would allow changes in law at the discretion of the Bush administrator in consultation with the governor of "any affected state."

"This legislation is purely about providing E.P.A. the clarity and certainty it will need down the road to ensure a timely and effective response," said Bill Holbrook, a spokesman for the chairman, Senator James M. Inhofe of [Oklahoma](#).

Mr. Holbrook added, "As Administrator Johnson indicated yesterday, there are a number of uncertainties remaining, and we, as well as the administration, do not want those uncertainties to delay actions that affect people's health."

The proposed legislation was introduced shortly before President Bush addressed the nation from New Orleans, outlining his vision for rebuilding areas of [Louisiana](#), [Mississippi](#) and [Alabama](#), where floodwaters have left enormous areas of environmental degradation.

Mr. Inhofe's legislation could make it easier for those efforts to proceed by setting aside laws and regulations that ensure that environmental standards for air and water quality are met. Already this week, the E.P.A. temporarily relaxed standards for diesel fuel to help Gulf Coast refineries return to normal levels of production and distribution.

But the ranking member of Mr. Inhofe's committee, Senator James M. Jeffords of [Vermont](#), an independent who usually votes with Democrats on environmental issues, said Mr. Johnson told members of the committee on Wednesday that he did not believe that environmental laws and regulations inhibited the agency's ability to clean up the mess caused by the hurricane.

"Based on the administrator's response, I am opposed to a blanket waiver for environmental laws," Mr. Jeffords said in a statement, adding, "We should be focusing our energy on protecting the health and safety of people impacted by the hurricane, not paving the way for environmental abuse."

Environmental groups, who routinely oppose Mr. Inhofe's approach to environmental policy, described his measure as an inappropriate response to the storm and an easy rationale for the agency administrator to grant waivers to states far from the directly affected areas.

Frank O'Donnell, executive director of the Clean Air Trust, called the legislation "a blank check to ignore crucial health and environmental protections" across the country.

Phil Clapp, president of the National Environmental Trust, said suspending laws might make sense "in very limited emergency circumstances."

But Mr. Clapp said he feared that the measure could invite other states to argue that they, too, have been affected by the hurricane and need to relax environmental laws for their benefit. Already, Mr. Bush has declared 41 states disaster areas as a result of the storm.

Mr. Clapp said [California](#), for example, could argue that its rising gasoline prices and growing numbers of evacuees were reasons enough to claim an impact of the storm and seek waivers.

"These are waivers that would swallow environmental laws nationwide," he said. "The measure is just way too broad."

For now, Mr. Inhofe's measure has no companion bill in the House. No one on the Energy and Commerce Committee, which handles much of the House's environmental legislation, had proposed a similar bill.